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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/730,912	12/10/2003	Masayuki Ishikura	118014	6684
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25944 7590 05/18/2007
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EXAMINER

WONG, ALLEN C

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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05/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/730,912		ISHIKURA, MASAYUKI	
	Examiner		Art Unit	
	Allen Wong		2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/10/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abe (US 2002/0057360) in view of Jung (6,412,952).

Regarding claim 1, Abe discloses a vehicle periphery monitoring apparatus for picking up an image of the periphery of a vehicle, comprising:

a case configured to be mounted on the vehicle and (paragraph 0194, Abe discloses the camera case 3 can be mounted onto the car or vehicle); and

an image pickup device provided within the case and configured to pick up an image of the periphery of the vehicle and to provide the image picked up into a cabin of the vehicle (paragraph 0194, Abe discloses camera 1 for obtaining images).

Abe does not specifically disclose the case comprising a front case member having a transparent window and a rear case member attached to the front case member, and a cover member configured to cover the front case member except for the transparent window and to cover a periphery of a mating surface between the front case member and the rear case member. However, Jung teaches a structure wherein there is a cover member (fig.3, Jung discloses a cover element 50 with backplate 50a, the lens element 51 is a transparent window, where element 70 is like a

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front case member and element 52 is like a rear case member). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Abe and Jung, as a whole, for providing a case so as to protect the inner contents of the image pickup device or whatever electronic device from the brutal, external weather conditions.

Regarding claims 2-8, Abe does not disclose the specifics of the case that holds the case together. It would have been obvious to one of ordinary skill in the art to apply the use of adhesives and connective parts to hold the case together so as to ensure the protection of the camera. Jung teaches the use of sealing members (fig.3, elements 53-54 are used to hold the case together). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Abe and Jung, as a whole, for providing a case so as to protect the inner contents of the image pickup device or whatever electronic device from the brutal, external weather conditions.

Regarding claims 9-11, Abe does not specifically disclose wherein the transparent window comprises: a pair of left and right transparent window portions each provided on left and right side of the front case member, respectively; and a lower transparent window portion provided on lower surface between the pair of left and right transparent window portions, wherein the pair of left and right transparent window portions and the lower transparent window portion are each formed of a curved surface having same thickness and are integrally formed by a continuous curved surface. However, it would have been obvious to one of ordinary skill in the art to

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conveniently modify the placement of the window portions to whatever position the user desires so as to be able to provide image data at the positions by design choice.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Allen Wong
Primary Examiner
Art Unit 2621

AW

5/14/07